

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAISY FLORES,

Defendant.

**8:22–CR–25**

**ORDER**

Before the Court is the defendant’s *pro se* Motion for Return of Property. [Filing 176](#). The defendant argues in her Motion that the government has seized two cell phones from her, and that there is no longer any reason for the government to retain her property, as she has already pleaded guilty and is now incarcerated. [Filing 176](#). [Federal Rule of Criminal Procedure 41\(g\)](#) provides,

A person aggrieved . . . by the deprivation of property may move for the property's return. The motion must be filed in the district where the property was seized. The court must receive evidence on any factual issue necessary to decide the motion. If it grants the motion, the court must return the property to the movant, but may impose reasonable conditions to protect access to the property and its use in later proceedings.

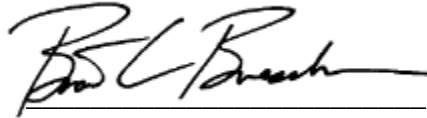
[Fed. R. Crim P. 41\(g\)](#). Because the defendant effectively alleges that she is “aggrieved . . . by the deprivation of property,” the Court will order the Government to respond to her Motion. The Government should indicate whether it has possession of these cell phones and whether the defendant is legally entitled to their return. Accordingly,

IT IS ORDERED:

1. The defendant’s Motion for Return of Property, [Filing 176](#), remains pending; and
2. The Government shall respond to the defendant’s motion no later than 21 days after the date of this Order.

Dated this 20th day of December, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher  
United States District Judge